App. F. IX-4

Previous References.

1941-42
(S.A)

File No. 144-41

Serial Nos. 6.7

PRESERVED

Later References.

Preserve

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Three.

Part B for February 42

SUBJECT.

Amendment to Article 118 of Mysore Service Regulations.

[redacted]

Je 4443 & 15-1-1942

Directs that a subsistence allowance not exceeding the prescribed rate be granted at the discretion of the suspending authority to Servants of government who are committed to prison either for debt or on a criminal charge.

Necessary corrections ~~slip~~ to the M.S.R will issue separately To The Comptroller:

Je 4444/D7 15-1-42

Adds a note to Article 118 of M.S.R

page 40.

To the compiler

The Comptroller —

DR Bgde
20-2-42

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Petition dated 25th April 1941, (through the Superintendant, Central Jail, Bangalore) from R.Srinivasa Rao, Mutchi and Book Binder, Office of the Kannada Translator to Government and an under-trial prisoner in the Central Jail, Bangalore, praying for the grant of a subsistence allowance to his family.

ORDER NO. G 177-8/G.S.78.40.2

Dated, Bangalore, the 22nd July 1941.

R. Srinivasa Rao, Mutchi and Book-Binder on Rs.27/- per mensem in the office of the Kannada Translator to Government was placed under suspension from 2-3-1941 on a police report that he was arrested in connection with the State Life Insurance Fraud case.

Considering his previous good service and conduct and the pitiable circumstances of his family after his arrest, Government are pleased to sanction, as a special case, a subsistance allowance of Rs.6-12-0 per mensem to R. Srinivasa Rao, Mutchi and Book Binder, Office of the Kannada Translator to Government with effect from 2-3-1941 till the termination of the proceedings of the Court against him.

for Chief Secretary to Government.

To

The Comptroller to Government through Financial Secretariat.

The Kannada Translator to Government of Mysore.

KH/6.

"Extract from O.E.File 78-40-2 relating to the grant of subsistence allowance to R.Sreenivasa Rao, Mutchi and Book Binder of the Kannada Translator's office and an under trial prisoner in the Central Jail."

The case falls under Article 118, M.S.R. and sanction of any pay or allowance is not admissible at this stage.

Initialled A.N.R.
19-5-41.

Kannada Translator to Government W/C.

C.G.R. 19/5

Apart from the present case in which the official is unfortunately involved his official record throughout his service is clean. In view of the hard circumstances of the family of the poor official, his request for a subsistance allowance may kindly be considered sympathetically as a special case and purely as a matter of grace.

Initialled C.K.V.
27-5-41

Chief Secretary.

Financial Secretary with compliments.

Initialled B.T.K.
27-5-41.

I do not know whether it is admissible as per existing practice and under the rules in force. Comptroller may be consulted.

Initialled A.N.R.
29-5-41.

Forwarded with compliments to the Comptroller for favour of remarks with reference to para 17.

By Order
Sd/- C.G.Ramaiah
For Financial Secretary to

No.781/Spl. dated 7-7-41.

7 Returned with compliments.

8 2. Our present rules on the subject are not quite clear. Article 118 M.S.R. mentions only that no "Pay" should be allowed to a Government servant committed to prison either for debt or on a criminal charge; but the latter part of this same article mentions 'allowances' to be adjusted according to circumstances of the case after the termination of the proceedings. Thus the article would appear to mean that neither pay nor subsistence allowance is admissible to a person committed to prison.

9 3. However, an account of this office, Mr. Singriengar, who was committed to prison in connection with the Mandya Cement defalcation case was granted a subsistance allowance.

10 4. The existing rules in British India on the subject are however quite clear and they allow subsistance grant to a person committed to prison. Vide administrative instructions issued under Fundamental rule 54-Part IV of appendix 3 of Fundamental rules issued by the Posts and Telegraphs Department and rule 412 of Bombay Government Manual of Fundamental rules.

11 5. The rules in M.S.R. may perhaps be amended on the lines of the rules in British India.

Sd/- M.Viraraja Urs
Comptroller.

Submitted for orders with reference to the paras 3 and 4 of the Comptroller's remarks dated 7-7-1941 and if approved the question of amending the existing

rules in M.S.R. as suggested by the Comptroller may be taken up separately.

13 It is for orders whether in this case, a subsistence allowance to K. Srinivasa Rao may not be allowed on the analogy of Mr. Sringriengar's case referred to in para 3 of the Comptroller's Un-official note.

---

14 In the circumstances stated by the Comptroller, a subsistence allowance may perhaps be granted in this case.

15 The question of amending the M.S.R. as proposed by the Comptroller may be taken up separately.

Initialled C.G.R.
9/7

Deputy Secretary.

A may be approved as a special case.

Initialled H.V.S.

Financial Secretary.

I agree.

Initialled A.N.R.
9-7-41.

If approved, the file may be sent to the office of the Kannada Translator for action as regards the grant of subsistence allowance and the file returned to take action in the matter of amending the M.S.R.

--

May be sent to O.B. for issue of orders through Financial Department and returning the file after issue for pursuing the question of amending M.S.R.

Initialled C.G.R.
10-7-41.

To the Kannada Translator to Government W.C.

12/ For favour of needful further action in the matter.

Initialled C.K.V.
12-7-41.

office Branch w/c.

13 R.Srinivasa Rao was drawing a salary of Rs.27/- on 2-3-41; when he was suspended. Under article 117(a) of M.S.R, subsistence allowance at a rate not exceeding one quarter of his salary may be granted by the authority suspending him. It is for orders (1) as to the amount of subsistence -- allowance to be granted and (2) from what date it has to take effect i.e., from 2-3-41 or from the date of order.

Submitted for orders.

---

14 An allowance of Rs.6-12-0 may be sanctioned from date of suspension.

Initialled S.K.V.

Chief Secretary.

---

15 A subsistence allowance of Rs.6-12-0 per month will be sanctioned if approved.

Initialled B.T.K.
16-7-41.

Dewan)

16 Initialled N.M.
17-7-41.

17 Submitted with a draft G.O. for approval.

18) Issue - Initialled M.R.
21-7

Financial Secretary has agreed.

Draft submitted.

For perusal

C.G.R.
22-7-

Deputy Secy.

Financial Secretary. Initialled H.V.S. 23-7-41

32 Initialled A.N.R. 23-7-41.

To

The Comptroller to Government through Fl. Sectt.
The Kannada Translator to Govern[t]

No.0.177-8 dated 22-7-41.

Sanctioning subsistence allowance of Rs.6-12-0 to R. Srinivasa Rao, M & B B of the office of the Kannada Translator to Government.

33 The file is sent herewith to Financial Branch with reference to para 16 and 17 of the notes supra.

Initialled S.K.V.

Supdt.
Fl. Br. w/c

Article 118 M.S.R as it stands, closely follows Part IV of Appendix 3 to Fundamental rules (P & P Compilation) and is almost a reproduction of the latter.

F.R. 53 relating to Subsistence grants runs as :-

"53- A Govt servant under suspension is entitled to the following payments :-

(a) If a military officer in Civil employ to the pay & allowance of his military rank

(b) In any other Case, to subsistence gra

Agani, Andhra Govt instruction under F.R 43(b) runs as :—

"While the

Serial No.

"While the suspending authority has discretion under F.R.43(b) to fix the amount of subsistance grant at such figure as it may think fit, subject to the prescribed maximum, it has no authority under clause (b) of F.R.53 to refuse a subsistance grant altogether in any case which falls under that clause"

This Court Note is Now Mandatory. It is for orders therefore whether a Note as under may not be added to Art. 118, leaving the Art. as it is.

"Note. A subsistence allowance not exceeding the prescribed maximum may however be granted even in Cases of Committal to Prison, at the discretion of the authority".

25/9/41

The Comptroller's remarks may be invited re: the amendment proposed

A

20.17/A2
– 2–10–41

25/9

Dy. (A&S) 26/9

A. yes.
29.9.41

1329/2
7/10/41 – Forwarded with Compts to the Comptroller togor for favour of remarks.

GEN. & REV. SECRETARIAT. 30 SEP. 1941 1329 FINANCIAL BRANCH.

ACCOUNTANT GENERAL'S OFFICE 2 OCT 1941 AUDIT SECTION

NOTE—Contd. Sheet

CG Lawas
30/9a for 2.10.41

Amendment to Article 118, M.S.R.

File No. of 194 .

General and Revenue Secretariat

Serial No.

DEWAN'S OFFICE
9. [illegible] 1942
NO 5951

~~No 160/spl dated 25-10-41~~
U.O.No.249/B.ii. dated October 1941.

Returned with compliments.

The note to Article 118 M.S.R. suggested above is suitable and may be approved.

Deputy Comptroller,
For Comptroller absent from Head Quarters.

Submitted with a draft for g A & C Slip for orders.

Ks 3/11 It is better if the A & C slip is based on a general Govt order which may be issued in the first instance ~~Otherwise the A & C slip~~ p. p. slip on general orders above

3.11.

A draft of a G.O together with an A & C Slip is put up for orders

Ks 17/11 may be approved

18/11

Which authority is it that is referred to in the proposed A & C slip. Kindly state

20/11/41

Better to add "suspending" before authority.

~~A & C~~ 21/11

A copy of the Fundamental Rules is put up

Ks 15/12

Amendment to Article 118, T.S.C. (1)

1379
2

General and Revenue Secretariat | SJA File No. 44 of 1941. | [App. F. III–2

Serial No.

6 H 4443 dt 15-1-42

To Comptroller to Govt

Directs that a subsistence allowance not exceeding the prescribed rate be granted at the discretion of the Sanctioning authority, to servants of Government who are committed to prison either for debt or on a Criminal charge

7. H 4444-45 dt 15-1-42

To Compiler H. Gazettes. ii Comptroller to Govt

Arc. Ship to M.S.R.

B

NOTE—Contn. Sheet

G. R. S. App. F VI—G 2]

SUBJECT ..... 3 Copies .....

.....

.....

Diary No. of letter replied to .....

Section SRA

File No. 144 41

Serial No. 6

General and Revenue Secretariat

( )

the *194* .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue ..... 15. 1. .....1942.

~~Read~~

Order No. R 4443

Signed by ..... Mr C. G. R .....

Govt are pleased to direct that, a subsistence allowance not exceeding the prescribed rate, be granted at the discretion of the Appointing authority, to servants of Govt who are committed to prison either for debt or on a criminal charge.

A Necessary Correction to the Mysore Service Regulations will issue separately

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

To The Comptroller to Govt

Ks.-116/1 1941 Jil Press

Extn

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

ORDER NO. F 4443 / SrA 144-41-6

Dated, Bangalore, the 15th January 1942.

Government are pleased to direct that a subsistence allowance not exceeding the prescribed rate be granted at the discretion of the suspending authority, to servants of Government who are committed to prison either for debt or on a Criminal charge.

Necessary corrections to the Mysore Service Regulations will issue separately.

For Financial Secretary to Government.

The Comptroller to Government.

Y.M.R.3.

(13)

Appendix F G—1]

SUBJECT.....

.....

.....

10 Copies

Section S/A

File No. 144-41

Serial No. 1

Diary No. of letter replied to.....

No. A1 44414-45

To

A J C Ship to M. S. R.

General and Revenue Secretariat

( )

the *19* .

Page 40 Article 118

Add the following as a note to this Article.

Date of issue 16.1.42

Signed by M C.G.R

"Note— A subsistence allowance not exceeding the ~~present~~ prescribed rate may, however, be granted even in cases of Committals to Prison, at the discretion of the Suspending authority"

List of enclosures.....

By order

A D 9.1.42

Copied by .....

JBJ 18/1 H Secy to Govt

Examined by .....

Ks 17/1 To 1) The Compiler Mysore Gazette

2) To the Comptroller